

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ALBERTO-CULVER USA, INC.,)	
)	
Plaintiff,)	Case No. 09-cv-5899
)	
v.)	
)	
THE PROCTER & GAMBLE COMPANY)	
and NOXELL CORPORATION,)	
)	
Defendants.)	

AFFIDAVIT OF LYNNE MILLER

1. My name is Lynne Miller. I am an attorney at The Procter & Gamble Company ("P&G") and I have knowledge of the matters set forth in this affidavit.


2. Peter A. Schwartz, a Partner in the New York office of Covington & Burling LLP, was involved in negotiating and drafting the Asset Sale and Purchase Agreement on behalf of P&G. Mr. Schwartz currently works and resides in New York.

3. Jeffrey B. Rose, a Managing Director in the New York office of Merrill Lynch, was involved in the contract negotiations on behalf of Plaintiff. A telephone inquiry to the switchboard at Merrill Lynch indicated that Mr. Rose is currently employed at Merrill Lynch in New York.

4. Devries Public Relations is a consumer marketing public relations firm based in New York. The Asset Sale and Purchase Agreement specified Devries Public Relations as one of the principal advertising agencies for the Noxzema brand. *See* Macdonald Decl. Ex. 1 ¶ 4.18; Schedule 4.18.

Executed on November 5, 2009




Lynne Miller

Louise S. Brock

LOUISE SADOWSKY BROCK, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
— Section 147.03